

1
2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 TONY HINES,

7 Plaintiff,

Case No. 2:18-cv-02373-JAD-NJK

8 v.

ORDER

9 JAMES DZURENDA, *et al.*,

(Docket No. 1)

10 Defendants.

11
12 **I. DISCUSSION**

13 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections
14 (“NDOC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an
15 application to proceed *in forma pauperis*. Docket No. 1.

16 Plaintiff’s application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C.
17 § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma*
18 *pauperis* and attach both an inmate account statement for the past six months and a properly
19 executed financial certificate. Plaintiff has not submitted an inmate account statement. *See* Docket
20 No. 1. Therefore, the *in forma pauperis* application is denied without prejudice. The Court will
21 retain Plaintiff’s civil rights complaint, Docket No. 1-1, but will not file it until the matter of the
22 payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the
23 deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing
24 fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis*, he
25 must file a fully complete application to proceed *in forma pauperis*, including the inmate account
26 statement and the properly executed financial certificate.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order, dismissal of this action may result.

DATED: December 17, 2018.

NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE